

## **Military Service by Transgender Persons and Persons with Gender Dysphoria**

### *Fact Sheet for: Chain of Command*

#### **Things to Know:**

- The new Department of Defense policy with respect to *Military Service by Transgender Persons and Persons with Gender Dysphoria* is effective April 12, 2019.
- All persons will continue to be treated with dignity and respect.
- No individual may be discharged or subjected to adverse treatment solely on the basis of his or her gender identity.
- This new policy is NOT a ban on transgender individuals serving in the military.
- Your Service members with a diagnosis of gender dysphoria prior to April 12, 2019 are EXEMPT from the new policy, and the previous policy applies.
- The new policy does not require transgender Service members to conceal their gender identity. So long as transgender persons, even those with a diagnosis or history of gender dysphoria, are willing and able to adhere to all military standards, including the sex-based standards associated with their biological sex, and have not had disqualifying medical treatments, they may continue to serve.
- Your Service members diagnosed with gender dysphoria after April 12, 2019 must be evaluated to determine if their medical diagnosis is compatible with continued service.
- All Service members, except those exempt under this policy, must adhere to all standards associated with their biological sex (uniforms, grooming, body composition assessment, physical readiness testing, military personnel drug abuse testing program).
- Exempt Service members may be retained without a waiver pursuant to DTM 19-004 and may not be separated, discharged, or denied reenlistment or continuation of service solely on the basis of gender identity.
- All Service members will use the berthing, bathroom, and shower facilities associated with their gender marker in DEERS.

FOR A COPY OF THE DIRECTIVE-TYPE MEMORANDUM 19-004, GO TO:  
[HTTPS://WWW.ESD.WHS.MIL/DD/](https://www.esd.whs.mil/DD/)

FOR ADDITIONAL QUESTIONS: CONSULT YOUR CHAIN OF COMMAND AND/OR YOUR  
SERVICE CENTRAL COORDINATION CELL

# Military Service by Transgender Persons & Persons with Gender Dysphoria

This chart shows the differences between the Defense Department's 2016 transgender policy and the 2018 update to that policy.

## Service Members

### Transgender with No Diagnosis or History of Gender Dysphoria

Pre-2016	2016	2018
Generally disqualified	May serve in biological sex	May serve in biological sex

### Service Member with Diagnosis of Gender Dysphoria

Pre-2016	2016	2018
Generally disqualified	May serve in preferred gender, upon completing transition	Unless exempt, may serve in biological sex. If unable or unwilling to complete biological sex separation procedures, may apply

## New Applicants

### Transgender with No Diagnosis or History of Gender Dysphoria

Pre-2016	2016	2018
Generally disqualified	May serve in biological sex	May serve in biological sex

### Applicant with Diagnosis or History of Gender Dysphoria

Pre-2016	2016	2018
Generally disqualified	Presumptively disqualified unless stable for 18 months in preferred gender or biological sex	Presumptively disqualified unless stable for 36 months and willing and able to serve in biological sex

### Applicant with History of Medical Transition Treatment \*

Pre-2016	2016	2018
Generally disqualified	Presumptively disqualified unless stable for 18 months in preferred gender or biological sex	Presumptively disqualified



#### Gender Dysphoria

A marked incongruence between one's experienced/expressed gender and assigned gender. Associated with clinically significant distress and impairment of functioning.



#### Biological Sex

A person's biological status as male or female, based on chromosomes, gonads, hormones, and genitals.



#### Exempt Persons

Service members who joined the military in their preferred gender or were diagnosed with gender dysphoria before the 2018 policy took effect are exempt.



#### Waivers

Military services may grant waivers on a case-by-case basis.



\* Medical Transition Treatment: Cross-sex hormone therapy, or sex reassignment

THIS GRAPHIC REPRESENTATION MAY NOT REPRESENT ALL CASES OR CIRCUMSTANCES.

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#### **Frequently Asked Questions**

**Q: We currently have a transitioning (or transitioned) member in my unit. What does this mean for the Service member?**

**A:** Service members who accessed in their preferred gender or who received a diagnosis of gender dysphoria from, or had such diagnosis confirmed by, a military medical provider prior to the effective date of the new policy are exempt from the new policy. Exempt Service members may continue to receive all medically necessary treatment, as defined in DoDI 1300.28, to protect the health of the individual, obtain a gender marker change in the Defense Enrollment Eligibility Reporting System (DEERS) in accordance with DoDI 1300.28, and serve in their preferred gender.

It is important to note that a Service member's exempt status cannot be revoked and the member cannot be separated, discharged, or denied reenlistment or continuation of service solely on the basis of his or her gender identity. However, a Service member whose ability to serve is adversely affected by a medical condition or medical treatment related to his or her gender identity or gender transition should be treated, for purposes of separation and retention, in a manner consistent with a Service member whose ability to serve is similarly affected for reasons unrelated to gender identity or gender transition.

**Q: Who decides whether a Service member is exempt under the updated policy?**

**A:** The Service member's medical provider verifies the timing of the diagnosis of gender dysphoria. If the diagnosis was, as appropriate, made or confirmed before April 12, 2019, the Service member is exempt from the new policy. As with any disqualifying condition, Service members may request a waiver from their Service, permitting a Service member who is not considered exempt, to serve in his or her preferred gender. Individual Service members who receive a waiver to the new policy will be considered from that point forward exempt from the new policy.

**Q: What if I'm notified of a gender dysphoria diagnosis of a member of my command after the effective date of this policy?**

**A:** Pursuant to the new policy, Service members who are diagnosed with gender dysphoria after the effective date of the new policy would be permitted to continue serving and to receive mental health counseling, provided that gender transition is not necessary to protect their health and that they are willing and able to meet all standards, including the standards associated with their biological sex. Should transition be required to protect their health, the member would be subject to the same administrative or medical separation procedures that guide all similar disqualifying medical conditions.

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**Q: What does it mean for a transgender individual to “serve in their biological sex”?**

**A:** All Service members must adhere to the standards, requirements, or policies associated with their biological sex (e.g., medical fitness for duty; physical fitness and body fat standards; berthing, bathroom, and shower facilities; and uniform and grooming standards). DTM 19-004 defines biological sex as a person’s biological status as male or female based on chromosomes, gonads, hormones, and genitals.

**Q: What if a member of my command transitioned prior to entering the military and has been serving in their preferred gender this whole time?**

**A:** Members who met accession standards for entering service in their preferred gender under the 2016 policy will be treated like any other Service member with the same gender marker in DEERS. They must continue serving in their preferred gender, meet all standards associated with their preferred gender, and otherwise adhere to the requirements set forth in DoDI 1300.28. They will be treated as exempt under the new policy.